

**MINUTES OF COUNCIL MEETING
FEBRUARY 14, 2008
6:30 P.M.**

The Murray City Council met in regular session on Thursday, February 14, 2008, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Danny Hudspeth, Pat Scott, Dan Miller, Jeremy Bell, Butch Seargent, Jason Pittman, Robert Billington, David Ramey, Jane Brandon, Butch Seargent, and Bill Wells.

Council Members Absent: Linda Cherry and Pete Lancaster.

Staff Present: Ken Claud, Michael Skinner, J. L. Barnett, David Roberts, Candace Dowdy, Ron Allbritten, Dennis Thompson, Philip Morris, Don Rogers, Carol Roberts, Matt Mattingly, Gail Mullins, Harla McClure, and Warren Hopkins.

Minutes of the council meeting held January 24, 2008, were presented for approval. **Mr. Bell moved, seconded by Mr. Scott,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Pat Harrington and asked that she provide information on the community receiving the designation of 100 Best Communities for Young People. Ms. Harrington stated that this is the third straight year that Murray and Calloway County have received this honor. The application and other documentation is attached.

Mayor Rushing presented the following names as consideration for Position #5 to the Board of Trustees of the Murray-Calloway County Hospital: Ms. Kim Griffo and Dr. Jack Rose.

Mayor Rushing then asked that the Council be polled, and the vote is as follows:

Kim Griffo: Dan Miller, Robert Billington, Butch Seargent and Bill Wells.

Dr. Jack Rose: Danny Hudspeth, Jeremy Bell, Jason Pittman, David Ramey, Jane Brandon, and Pat Scott.

Pursuant to the vote, Mayor Rushing declared Dr. Jack Rose appointed to Position #5.

Ordinance Number 2008-1455 (second reading) an ordinance amending Chapter 118 of the City of Murray Code of Ordinances in order to clarify existing paragraph 118.13 and 118.99 was presented to the council on a second reading. **Mr. Hudspeth moved, seconded by Mr. Billington** to adopt said ordinance. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Jeremy Bell, Dan Miller, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Seargent, Pat Scott and Bill Wells.

NAYES: None.

Mayor Rushing declared Ordinance Number 2008-1455 adopted on a second reading and recorded in Ordinance Book Number 7, Page ____.

Ordinance Number 2008-1456 (second reading) an ordinance amending Chapter 118 of the City of Murray Code of Ordinances to create a new section regarding outdoor alcoholic beverage license regulations was presented to the council on a second reading. **Mr. Pittman moved, seconded by Mr. Bell** to adopt said ordinance. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Jeremy Bell, Dan Miller, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Seargent, Pat Scott and Bill Wells.

NAYES: None.

Mayor Rushing declared Ordinance Number 2008-1456 adopted on a second reading and recorded in Ordinance Book Number 7, Page ____.

Ordinance Number 2008-1457 (first reading) an ordinance amending Chapter 156, Zoning Code, of the City of Murray Code of Ordinances with respect to definitions (§156.004), sign regulations (§156.050), Board of Zoning Adjustments (§156.080), and zoning districts (§157.037) was presented to the council on a first reading. **Dr. Miller moved, seconded by Mr. Billington** to approve said ordinance. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Jeremy Bell, Dan Miller, Robert Billington, Jason Pittman, David Ramey, Butch Seargent, Pat Scott and Bill Wells.

NAYES: Jane Brandon.

Mayor Rushing declared said ordinance approved on a first reading.

Ordinance Number 2008-1458 (first reading) an ordinance amending Chapter 156, Zoning Code, of the City of Murray Code of Ordinances to create a new section regarding Transient Business Regulations was presented to the council on a first reading. **Mr. Pittman moved, seconded by Dr. Miller** to approve said ordinance. Mr. Scott questioned if transient businesses currently buy a business license and they do. Ms. Dowdy stated that there are notations in her files that the City was in the process of putting regulations together regarding these types of businesses when the transient businesses first applied for a business license. She stated that the businesses were informed that they would have to come into compliance once any regulations were adopted. Ms. Dowdy stated that the City does not expect Paradise Snow, located on the corner of 12th Street and Poplar to move every 90 days. She stated that they have consulted Pearly McClure, the City of Murray Building Official, and the Kentucky Building

Code has provided information on how these structures should be placed. She said the building will be required to be put on a foundation and is considered the primary structure for that location. Mr. Scott stated he believed requiring businesses to move every 90 days would make it difficult for them to operate. He stated he does not think they should have to move every 90 days if a location is found that is approved by the Planning Department. Mr. Pittman questioned if the transient businesses pay property taxes and they do not since they do not own the real estate that the mobile food vehicle is on. Mr. Roberts stated we are attempting to ensure that a temporary business does not become a permanent transient business. With no further discussion, Mayor Rushing called for the roll call vote as follows:

AYES: Danny Hudspeth, Jane Brandon, Jeremy Bell, Dan Miller, Robert Billington, Jason Pittman, David Ramey, Butch Seargent, and Bill Wells.

NAYES: Pat Scott.

Mayor Rushing declared said ordinance approved on a first reading.

Resolution Number 2008-001 a resolution authorizing the Mayor to enter into an agreement with the Governor's Office for Local Development for the Kentucky Body Armor Program, to execute any documents which are deemed necessary by GOLD to facilitate this project, and to act as the authorized correspondent for this project was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Bell** to approve said Resolution. Chief Claud stated the Kentucky Body Armor Program allows for the purchase of ammunition to use for annual training and that he is requesting approximately \$2,200 for ammunition for training. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 002-2008 appointing S. G. Carthell; Kenny Darnell; Doris Sarr; Jim Frank; Peggy Munke; Faye Dodd; and Linda Cherry to the Human Rights Commission for a one year term which will expire February 14, 2009, was presented to the council for approval. **Mr. Ramey moved, seconded by Mr. Hudspeth** to approve said Municipal Order. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Declare as Surplus a 1998 Alamo Boom Mower, serial number MM15-01461 was presented to the council for approval. **Dr. Miller moved, seconded by Mr. Pittman** to approve said recommendation. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of declaring said property surplus.

Mayor Rushing recognized Dr. Miller, chairman of the Transportation Committee, and requested that he provide a report. Dr. Miller stated that the committee met to discuss possible turning lanes around the City. **Dr. Miller moved, as unanimously recommended by the Transportation Committee**, to authorize Geotech to continue to develop plans for the proposed turn lane at 18th Street and College Farm Road. **Mr. Pittman seconded the motion.** With no

further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mr. Billington questioned if we could put street signs over the streets and hang them with the stop lights. He stated that he has had citizens state that they have been unable to locate a street sign at times and suggested this might make it easier.

With no further business to come before the council, the meeting adjourned at 7:25 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure, City Clerk